

REMARKS

Claims 1-3 and 7-25 are pending in this application. By this Amendment, claims 1-3, 7-9, 12, and 16 are amended and claims 4-5 are cancelled without prejudice to or disclaimer of the subject matter found therein. Claims 1-3, 7-8, 12, and 16 are amended to depend from claim 18. Also, claims 1 and 9 are amended in response to the Office Action rejection under 35 U.S.C. §112, second paragraph. No new matter has been added.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Tran in the February 24, 2006 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

Also, Applicant appreciates the indication in paragraphs 11-13, on page 6 of the Office Action that claims 20-25 are allowed and claims 8-16 and 19 contain allowable subject matter. However, as agreed at the interview and for at least the reason discussed below, claims 1-3, 7, and 17-18 are allowable over the applied art.

In paragraph 5, on page 2 of the Office Action, claims 4 and 9 were rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. Specifically, the Office Action asserted that the relationship between the polygon mirror as recited in claim 1 and the deflecting unit as recited in claim 4 is unclear. Similarly, the Office Action asserted that the relationship between the deflecting unit as recited in claim 9 and the polygon mirror as recited in base claim 1 is unclear.

As discussed at the interview, claim 4 is canceled and claims 1 and 9 are amended to clarify the features recited therein. With respect to claim 4, as agreed at the interview, the cancellation of claim 4 renders the rejection of claim 4 moot. With respect to claims 1 and 9, as agreed at the interview, the amendments to claims 1 and 9 overcome the rejection. Thus, withdrawal of the rejection is respectfully requested.

In paragraph 7, on page 3 of the Office Action, claims 1, 3, 4, 17, and 18 were rejected under 35 U.S.C. §102(b) over JP 2002-207395 to Tashiro et al. (hereinafter “Tashiro”). The rejection is respectfully traversed.

Applicant's invention of claim 18 calls for an image forming device comprising a plurality of image forming units, each of the plurality of image forming units being provided for each of a plurality of colors, the plurality of image forming units being aligned vertically; and a casing that accommodates the plurality of image forming units, each of the plurality of image forming units comprising a photosensitive member; an exposing device that exposes the photosensitive member to light to form electrostatic latent images thereon; and a developing device that develops the electrostatic latent images formed on the photosensitive member using developer to form developer images, wherein the developing device and the exposing device are aligned to overlap with each other in a vertical direction, when the casing is disposed in an orientation in which the casing is intended to be used; and wherein the exposing device includes a deflecting unit that deflects a laser beam; and a drive unit that drives the deflecting unit, the drive unit and the developing device being aligned to overlap with each other in a horizontal direction. Tashiro fails to disclose these features.

As agreed at the interview, Tashiro does not disclose or suggest an image forming device in which the developing device and the exposing device are aligned to overlap with each other in a vertical direction, as recited in claim 18 (see Fig. 1 of Tashiro where exposing device 12 and developing device 13 are not aligned to overlap with each other in a vertical direction).

Also, as agreed at the interview, Tashiro does not disclose or suggest an image forming device in which the drive unit and the developing device are aligned to overlap each other in a horizontal direction, as recited in claim 18. As discussed at the interview, the Office Action alleges that in Figs. 1 and 3 of Tashiro, the drive unit (not shown but is

conventionally directed beneath the mirror) for driving the polygon mirror 82. However, as discussed at the interview, according to the Office Action assertion, the drive unit of Tashiro would be disposed beneath the polygon mirror inside the exposing device 12 (see Fig. 1 of Tashiro). Accordingly, as agreed at the interview, the drive unit of Tashiro, which is located inside the exposing device 12, does not overlap with the developing device 13 in a horizontal direction. It is respectfully requested that the rejection be withdrawn.

Thus, as agreed at the interview, claim 18 is patentable over Tashiro. Further, as agreed at the interview, claims 1, 3, and 17, which depend from claim 18, are patentable over Tashiro for at least the reasons discussed with respect to claim 18, as well as the additional features recited therein. Withdrawal of the rejection is thus respectfully requested.

In paragraphs 9 and 10, on page 5 of the Office Action claim 2 was rejected under 35 U.S.C. §103(a) over Tashiro in view of U.S. Patent No. 6,381,428 to Yamamoto et al. (Yamamoto); and claim 7 was rejected under 35 U.S.C. §103(a) over Tashiro in view of JP 2002-082507 to Tokutake et al. (Tokutake). The rejections are respectfully traversed.

As agreed at the interview, Yamamoto does not remedy the deficiencies of Tashiro as discussed with respect to claim 18. Thus, as agreed at the interview, claim 2 is patentable over the alleged combination of Tashiro and Yamamoto for at least the reasons discussed with respect to claim 18, as well as the additional features recited therein. Withdrawal of the rejection is thus respectfully requested.

Also, as agreed at the interview, Tokutake does not remedy the deficiencies of Tashiro as discussed with respect to claim 18. Thus, as agreed at the interview, claim 7 is patentable over the alleged combination of Tashiro and Tokutake for at least the reasons discussed with respect to claim 18, as well as the additional features recited therein. Withdrawal of the rejection is thus respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 7, and 17-18 along with allowed claims 20-25 and allowable claims 8-16 and 19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: February 27, 2006

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